\* \* \* \* \* \* \* \* \* FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property located at 2212 Southorn Road in the Hawthorne subdivision of Baltimore County. Variance relief is requested from Section VI-"D", Residence zone, C.3, of the Baltimore County Zoning Regulations (B.C.Z.R.) which were effective from 1945 to 1953. Specifically, relief is sought to permit a side yard setback of 4 ft. for an elevated shed, in lieu of the required 10 ft. The relief requested is more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

This matter was originally filed as a Petition for Administrative Variance pursuant to Section 26-127 of the Baltimore County Code. This section can allow a variance to be granted for an owner/occupied residential property without a public hearing. For such properties, the owner petitions this office for an administrative variance and notice of the said Petition is posted conspicuously on the property. If a request for a public hearing is not made by an interested neighbor or required by the Zoning Commissioner, a variance can be granted without a public hearing. In this case, after the requisite posting, a request for hearing was received from Anna Clevenger, owner of the adjacent property located at 2214 Southorn Road. Thus, the matter was scheduled for a public hearing.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 45 day of March, 1994 that a variance from Section VI-"D", Residence zone, C.3, of the Baltimore County Zoning Regulations (B.C.Z.R.) which were effective from 1945 to 1953 to permit a side yard setback of 4 ft. for an elevated shed, in lieu of the required 10 ft., be and is hereby

> 1. The Petitioner shall be allowed ninety (90) days from the date of this Order to tear down the 6 ft. x 4 ft. x 8 ft. elevated existing shed.

> Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to ensure compliance with this Order.

Zoning Commissioner for Baltimore County

Appearing at the public hearing held for this case was Glenn M. Goetzinger, son of the property owner, Marlana M. Goetzinger. Also appearing was Anna Clevenger.

Testimony and evidence presented is that the subject lot is at the end of a block of townhouses which front Southorn Road. This townhouse development is apparently quite old and the inside townhouse units are 16 ft. wide and 32 ft. deep. The subject property contains a slightly larger dwelling which, although 32 ft. deep, is 18 ft. wide. The lot totals 28 ft. in width, leaving a side yard facing the Clevenger property of 10 ft.

Ms. Clevenger's lot and house are similarly dimensioned. The lot is also 28 ft. wide and the house is also 18 ft. wide and 32 ft. deep. It is also to be noted that the Petitioner's house has been improved with an existing addition to the rear. This addition attaches to the back of the house and measures 16 ft. wide and 22 ft. deep. Also the photographs show that a shed has been placed in the rear portion of the lot not far from

Apparently, on or about Labor Day in 1993, the Petitioner decided to construct a deck. The deck is attached to the side of the house and runs down the entire length of the side wall, some 32 ft. The deck was built without a permit. Apparently, the Petitioner did not believe that he needed a permit at that time. The deck is significant in size. In addition to extending 32 ft. in depth along the entire side of the house, it also runs from the side wall to within 4 inches of the Clevenger property line. That is, it is almost 10 ft. in width. Moreover, in November of 1993, the Petitioner constructed a shed on the rear of the deck which is clearly seen in the photographs presented. Mr. Goetzinger indicated that this shed was constructed for storage purposes and also to be used when guests were entertained on the deck. Mr. Goetzinger believes that the deck and shed are entirely appropriate and should be permitted.

As to Mrs. Clevenger, she objects to this large deck and shed so close to her property line. As noted, these are townhouse lots and are not significantly sized properties. In fact, both the Clevenger and Goetzinger lots appear to be approximately 2800 sq. ft., or less than 1/10th of an acre in area. Mrs. Clevenger notes that trash and debris can accumulate in the narrow 4" space between the end of the deck and the fence separating her property and the Petitioner's property, and that grass cannot be cut. She believes that the improvements present an eyesore and an intrusion onto her property.

The Petitioner seeks relief from regulations contained in an old version of the B.C.Z.R. Particular note need be given to Section 1802.3 of the B.C.Z.R. which provides special regulations for existing developments or subdivisions in D.R. zones. In fact, the Hawthorne community was apparently recorded on or about February 26, 1954. As such, development therein, including the deck and shed, are governed by the B.C.Z.R. which was in effect on that date. It is interesting to note that the 1945-55 B.C.Z.R. did not require any specific setback for uncovered porches and decks. Rather, uncovered porches, fire escapes, open stairways and etc., were permitted if they would not obstruct light and ventilation. In that the subject deck is only 3 ft. in height, it is clear that same does not interfere with light and air to the neighboring property. However, the Office of Zoning Administration and Development Management (ZADM) correctly advised the Petitioner that a variance would be required for the shed. The shed, which is 6 ft. x 4 ft. in footprint, is 8 ft. high with a peaked roof and thus is over 11 ft. off the ground. Clearly, this size justifies

an inquiry as to whether the shed disturbs light and air available to

In that I am obligated to consider the Petition in accordance with the 1945 regulations, I cannot require the Petitioner to eliminate or reduce the deck. However, it should be noted that, in my view, the deck is entirely too large for this property. This is but a small property, as noted above. It is already improved with an existing dwelling, an addition and a shed in the rear yard. There is only so much land available for impervious surface and building. I believe that the Petitioner has overburdened and overwhelmed this property by constructing the deck. However, it does not block and air and thus must be permitted to remain under the applicable regulations.

The shed, however, is another matter. As the photos show, it towers over the Clevenger's side yard. In my view, it does, indeed, impermissibly block light and air to the neighboring property. Thus, the Petition for Variance should and must be denied.

It is also to be noted that the Petitioner has offered no compelling reason to justify the practical difficulty standard enunciated in Section 307 of the B.C.Z.R. Therein, the standard for any variance relief is prescribed. The reasons stated by the Petitioner at the hearing in support of the variance were more for matters of convenience. That is, the Petitioner would like the shed for additional storage space and for entertaining. It is difficult to accept the claim for storage in view of the existing house, addition thereto and storage shed already on the property. His claim that the shed helps to entertain his guests more fashionably is insufficient to justify the variance. Thus, the Petition for Variance must and shall be denied.

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

March 14, 1994

**Baltimore County Government** Zoning Commissioner

Office of Planning and Zoning

Mrs. Marlana M. Goetzinger Mr. Glenn M. Goetzinger 2212 Southorn Road Baltimore, Maryland 21220

> RE: Case No. 94-232-A Petition for Variance Property: 2212 Southorn Road

Dear Mr. and Mrs. Goetzinger:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been denied, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Lawrence E. Schmidt

Zoning Commissioner

cc: Mrs. Anna Clevenger 2214 Southorn Road Baltimore, Maryland 21220

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County the property located at 2212 Southern Road Bulto. 21220 which is presently send DR 1550

1945 TO 1953 REGULATIONS. TO PERMIT A SIDE YARD SETBACK OF HE FT. IN LIEU OF THE REQUIRED IO PT. FOR AN ATTACHED SHED.

of the Zening Regulations of Baltimere County, to the Zening Law of Baltimere County; for the following reasons: (Indicate hardship or prestical difficulty)

7 Shirty - SEE CYHER SIPE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this patition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimere County adopted pursuant to the Zoning Law for Baltimere County.

With the externely declare and allies, under the parallels of parjury, that then are the

ant Purchaser Lorson:	Lagal Company:
Or Public Flame)	
	(Type or Aust Rama)
to Palitinas	
or Mile Name /	1212 Southorn Rd. 682-5499
rio (* 1	Baltimore Md 21200
	Glenn m Goetzinger
Place No.	
	27:2 Senthan 81. C52-5439

Affidavit in support of Administrative Variance The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Bahimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) in/are empetent to testify thereto in the event that a public hearing is acheduled in the future with regard thereto. That the Affirm (s) does No presently reside at 1 2212 Southorn Rd Baltimore Md. 21220

BANTISA

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administra Variance at the above address: (nations havening or practical efficient) 1 My Father is 76 Years Old and is legaly Blind and handicaped. It'is Very difficult for him to get around. This deck is on floor level so he may access it with Ease. my dad walky with a care and walker and may Soon be confinded to a wheel chair 'Very SOON. We have hardicap Farking in Front.

may be reduited to brovide additional infor- tion: visuality) accumundately:	rotest is filed, Afficat(s) will it	to required to pay a repor	iting and advertising for and
•		11000	· · · · · · · · · · · · · · · · · · ·
			in Hatinger
	/ <b>%</b> .W/	Macha	m. Overzinger
REFORM NEWSTRANDS COUNTY OF S	Haya Car	(Albo of bilet adding)	-
I JOHNHAY CHRYDY, thin State	ν , <u>Λ</u>	19 93 before me	, a Notary Public of the State

he Affiants(s) herein, personally known or satisfactorily identified to me as such Affiants(s), and made oath in duct form of how

that the matters and facts hereinshove set forth are true and correct to the best of his/her/their knowledge and belief. Ad WITNESS my band and Notarial Seel.

12-1-93

**EXAMPLE 3 - Zoning Description** 

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONIN	G DESCRIPTION FOR 2213	2 Souther	~ <i>F</i> 3.
Elect	ion District 15	Councilma	(address) anic District 5
Beginning at a	point on the South	, East	side of
Souther (street on which	ry Rood which	is	36 <del>4</del>
wide at a dista	nce of 150 feet	South, L	sch of feet of right-of way widt seast or west)
centerline of t	he nearest improved inter	secting street	Kingston Road (name of street)
which is	50 feet	wide.	*Being Lot # 7 ,

(number of feet of right-of-way width) Block 20 , Section # 5 in the subdivision of Hawthorn \_\_\_ as recorded in Baltimore County Plat

(name of subdivision) Book # G.L.B. No.19 , Folio # 141 , containing 2800.0 59,44,

(square feet and acres)

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_\_\_, Folio \_\_\_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

> **Baltimore County Government** Office of Zoning Administration and Development Management

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to

the general public/neighboring property owners relative to property

This office will ensure that the legal requirements for posting and

advertising are satisfied. However, the petitioner is responsible for

1) Posting fees will be accessed and paid to this office at the

2) Billing for legal advertising, due upon receipt, will come

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

from and should be remitted directly to the newspaper.

a sign on the property and placement of a notice in at least one

newspaper of general circulation in the County.

the costs associated with these requirements.

PHONE NUMBER: 682-5499

PAYMENT WILL BE MADE AS FOLLOWS:

time of filing.

which is the subject of an upcoming zoning hearing. For those petitions

which require a public hearing, this notice is accomplished by posting

CERTIFICATE OF POSTING DNING DEPARTMENT OF BALTIMORE COUNTY

Towns, Maryland

Posted for: VEYTONC.	Date of Posting 12/19/93
Posted for: VEYTENC.	***************************************
Petitioner: Merlang M. Goet zinger	
Location of property 2212 Southorn Re 3F/S	***************************************
Location of Signer Lacing Translating or frepert	y busing toxed
Remarks:	
Posted by Manager Dat	te of return: 13/13/93
Signeture	
Number of Signs:	

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 91 -150 1 Towen, Meryland

District. 197	Date of Posting // 12/ 94
Posted for: Maylone	
Location of property: 2212 Scuthe	+ 21 mgs. 14 Rs, 51/5 , 152 1 NI/ Atings ten Re
Location of Signer January 720 5 40	1,636 frofinty being 20md
Remarks: Posted by Militarity	Date of return: 1/1/97
Posted by Signature Thusber of Signat	Date of Fettire:

Petitioner(s):
Merlane M. Goetzinger
Hearing: Tuseday,
February 1, 1994 at
10:00 a.m. in Rm. 118,
Courthouse.
Variance to permit a side
yard setback of 4 feet in lieu of
the required 10 feet for an apteched shed.

HOTIGE OF MEARING

## CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of \_\_\_\_ successive weeks, the first publication appearing on 13, 1994.

THE JEFFERSONIAN.

Zoning Administration & Development Management Lee est Chesapeuka Avenue son, Maryland 21204

Account: R-001-6150

PRING FEE 100 \$50.00 (1) SIGN FOSTING CODE 080 \$ 35.00 TOTAL \$ 85.00

OWNER, GOETZINGER. LOC. 22/2 SOUTHORN RD.

01A01#0053MICHRO

CKi 21656

receipt

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

A Printed with Bayboan Inh

(410) 887-3353

December 23, 1993

Ms. Marlana M. Goetzinger 2210 Southorn Road Baltimore, Maryland 21220

RE: Case No. 94-232-A, Item No. 228 Petitioner: Marlana M. Goetzinger Petition for Administrative Variance

Dear Ms. Goetzinger:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on December 2, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Maryland Department of Transportation

REQUEST FOR HEARING

Petitioner(e): // ulage Greateur pu

2 #171 HCK1: 110 1122 +1172

property which is the subject of the above petition, do hereby formally

which is located approximately \_\_\_\_\_\_ feet from the

Location: 2212 South Ref

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

( }Legal Owners ( ) Residents, of

2214 ScotHIRN 16

request that a public hearing be set in this matter

O James Lighthizer Hal Kassoff Administrator

12-16 93

119851

Re: Baltimore County Item No.: \* スメモ ( ブレレ)

Towson, Maryland 21204 Dear Ms. Minton:

Room 109

Ms. Charlotte Minton

County Office Building

Zoning Administration and

**Development Management** 

111 W. Chesapeake Avenue

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

BALTIMORE COUNTY, MARYLAND OFFICE INANCE REVENUE DIVISION

POR: 126 from - 11-1 - 11-1 74-232-4

VALIDATION OR SIGNATURE OF CASHIER

MISCELLANEOUS CASH RECEIPT

Thank you for the opportunity to review this item.

Very truly yours, Bob Small John Contestabile, Chief
Engineering Access Permits

My telephone number is \_\_\_\_\_\_ Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Mailing Address: P.O. Box 717 • Baltimore, MD 21283-9717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21282

\_\_\_\_\_\_ For newspaper advertising: Item No.: 228 Petitioner: Marlana M Goetzinger location: 2212 Southorn Rd. Balto, 21220 PLEASE FORWARD ADVERTISING BILL TO:

111 West Chesapeake Avenue

Towson, MD 21204

(Revised 04/09/93)

**Baltimore County Government** Office of Zoning Administration and Development Management

(410) 887-3353

111 West Chesapeake Avenue Towson, MD 21204

JANUARY 10, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Variance to permit a side yard setback of 4 feet in lieu of the required 10 feet for an attached shed.

CASE NUMBER: 94-232-A (Item 228) 2212 Southorn Road SE/S Southorn Road, 150' NE of Kingston Road 15th Election District - 5th Councilmenic Petitioner(s): Marlana M. Goetzinger

HEARING: TUESDAY, FEBRUARY 1, 1994 at 10:00 a.m. in Rm. 118, Courthouse.

NOTES: (1) ZONTING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Zoning Administration and DATE: December 10, 1993

Pat Keller, Deputy Director Office of Planning and Zoning

Development Management

The Office of Planning and Zoning has no comments on the following petition(s): Item Nos. 206, 222, 223, 228 and 232.

Petitions from Zoning Advisory Committee

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

December 21, 1993

Mr. Arnold Jablon, Director Zoning Administration and Development Management

J. Lawrence Pilson Development Coordinator, DEPRM

SUBJECT: Zoning Item #228 - Goetzinger Property 2212 Southorn Road Zoning Advisory Committee Meeting of December 13, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

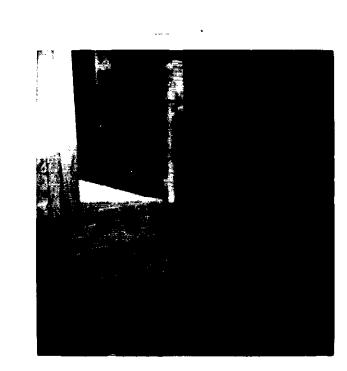
The shed is already existing, thus this project shall not need a Chesapeake Bay Critical Area Findings since it's not considered a "Development Activity."

JLP:KK:sp

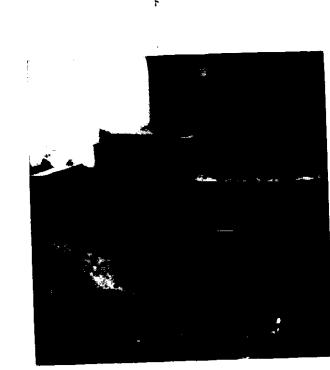
GOETZING/DEPRM/TXTSBP

ZAC.206/PZONE/ZAC1

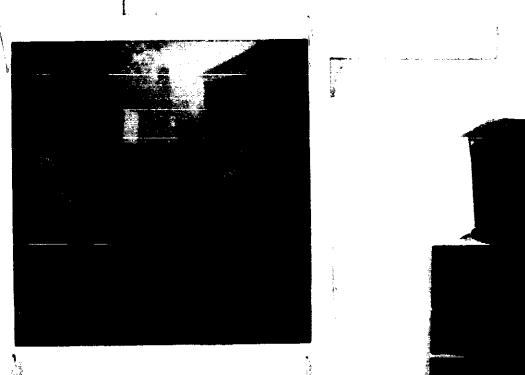
94-232-A

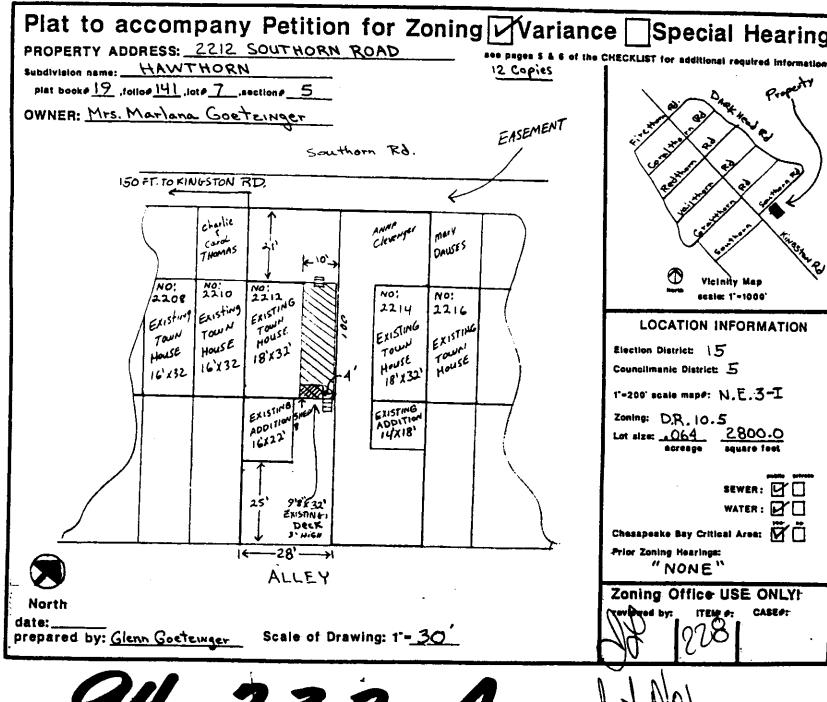












Baltimore County Government

Office of Zoning Administration

and Development Management

A formal REQUEST FOR PUBLIC HEARING has been filed in your case. Formal

As you recall, it now becomes necessary to repost the property and run

notice of the hearing in a newspaper of general circulation. This

office will ensure that the legal requirements for posting and

Posting charges in the amount of \$35.00 are now due. Your check in

this amount should be made payable to "Baltimore County, Maryland" and

Billing for legal advertising, due upon receipt, will come from and

Please be further advised that non-payment of fees will stay the

If you have any questions concerning this letter, you may contact Gwen

notification of the hearing date will be forwarded to you shortly.

111 West Chesapeake Avenue

JANUARY 5, 1994

Marlana M. Goetzinger

Ballimore, Maryland 21220

Re: Case Number: 94-232-A

advertising are satisifed.

Stephens at 887-3391.

immediately mailed to this office.

should be remitted directly to the newspaper.

issuance of the Zoning Commissioner's Order.

2122 Southern Road

2212 Southorn Road

Dear Petilioners:

Towson, MD 21204

Printed with Soybean Ink on Recycled Paper

94-232-A

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

(410) 887.3353

DECEMBER 14, 1993

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Marlana M. Goetzinger 2212 Southorn Road Baltimore, Maryland 21220

CASE NUMBER: 94-232-A (Item 228) 2212 Southorn Road SE/S Southorn Road, 150° NE of Kingston Road 15th Election District - 5th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before becember 14, 1993. The closing date (January 3, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will he reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public bearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the peritioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE OPDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Printed with Snybean tria on Recycled Paper

This deck was put up on Friday September 3rd, Labor Day weekend. He had friends over that weekend and I found beer cans on may side of the yard and my gate was open. At that time they did not build a (bar) on top of the deck.

The next weekend, September 11 and 12th, he took the fence between our property down without asking my permission, so I waited to see if he was going to put it up but he did not and that is when I started to inquire if he had a Permit (9/14/93) or if he had violated my rights. I called his wife and told her I wanted the fence back up, but by the end of the evening it was still down, so I went out and the worker (Paul) was still there working even though a Stop Working Permit was issued earlier that day. He told me that he had told Glenn that he should have asked me before taking it down and laying it on may property without saying anything. I also found out that Glenn was planning to take the entire fence down along with the poles and build a flower box between our properties. Then Glenn arrived from the store and I told him that I wanted the fence up and that is when he put it back up. He finally applied for a permit (which later I found out was obtained under false information, "building on a pre-existing deck"). There never was a deck.

He finally talked to me concerning this project on November 11th, 2 months afterwards. He told me that he built this deck and bar for his farther-in-law which I feel is false. He can easily turn the bar in something else later.

Since he decided to build himself another room in the back of the house and close the back entrance, he made this deck the new entrance which faces my side of the house. Now he built this huge deck (which is too high and within 10 feet of my windows) and covered bar. I only ask that whatever he builds is legally done (under the zoning and building permit laws). I am looking after my own rights which I am entitled to since I am a taxpayer.

When we bought this house I had a good feeling because there was enough space between the buildings for some privacy, now with this overbuilding it has been taken away from me.

Since I am the one affected with this infraction, I am here alone, but many people on our street feel that he is overbuilding and not appropriate for our neighborhood. A variance should not be allowed for the following reasons:

Against zoning code.

Depreciates my property value.

The deck is too high, big and, too close to my windows. It has a covered (bar\shed/building) which is not allowed between the buildings.

Maintenance is hard between the properties unless I take the

Arm Cloverge 2214 Southon XX Bultimore, md. 24220

